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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number 10/811,602

Filing Date March 29, 2004

First Named Inventor Brian N. Tufte

Art Unit unknown

Examiner Name unknown

Attorney Docket Number 1076.1104101

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
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<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
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<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

Remarks

Form PTO 1449  
19 non-US patent references  
Return Postcard

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Crompton Seager & Tufte		
Signature			
Printed name	Brian N. Tufte		
Date	October 13, 2004	Reg. No.	38,638

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Lynn Thompson	Date	October 13, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Brian N. Tufte

Examiner: unknown

Serial No.: 10/811,602

Group Art Unit: unknown

Filed: March 29, 2004

Confirmation No.: unknown

For: LIGHTING APPARATUS

Docket No.: 1076.1104101

**INFORMATION DISCLOSURE STATEMENT (37 C.F.R. §1.97(b))**

Mail Stop Amendment  
Assistant Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE UNDER 37 C.F.R. 1.8:** I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on this 13th day of October, 2004.

By: \_\_\_\_\_

Brian N. Tufte

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

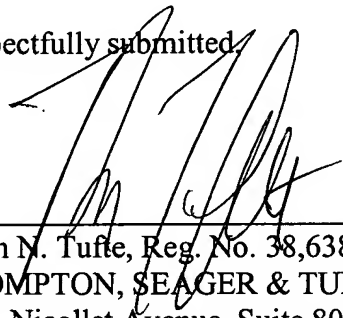
This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F. R. §1.98(a)(2), a copy of each non-US patent document or other information listed on the enclosed Form 1449 is provided.

No representation is intended to be made hereby that any of the cited references establishes, by itself or in combination with other information, a prima facie case of unpatentability of any claim of the present case.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Respectfully submitted,



Dated:

October 13, 2004

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Atty. Docket No.:  
1076.1104101Serial No.:  
10/811,602

Applicant: Brian N. Tufte

LIST OF PATENTS AND PUBLICATIONS FOR  
APPLICANT'S INFORMATION  
DISCLOSURE STATEMENT

Filing Date:

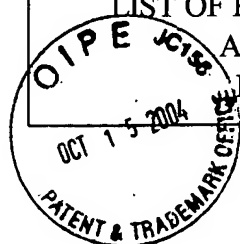
March 29, 2004

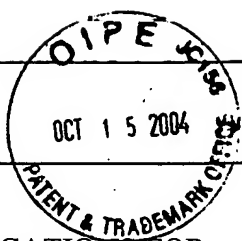
Group Art:

unknown

## U.S. PATENT DOCUMENTS

Examiner Initial	Document No.	Date	Name	Class	Sub Class	Filing Date If Appropriate
	1,779,180	10/1930	Macrae et al			
	2,277,433	03/1942	E.F. Guth			
	2,300,067	09/1941	Schwab			
	2,339,085	01/1944	Luckiesh, Matthew			
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	3,612,848	10/1971	Koch et al.			
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	3,675,527	07/1972	Reeder, Jr., George, H.			
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Atty. Docket No.:  
1076.1104101

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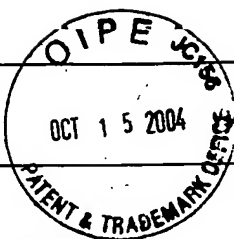
LIST OF PATENTS AND PUBLICATIONS FOR  
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Applicant: Brian N. Tufte

Filing Date:  
March 29, 2004

Group Art:  
unknown

Examiner Initial	Document No.	Date	Name	Class	Sub Class	Filing Date If Appropriate
	4,964,760	10/1990	Hartman			
	5,023,762	06/1991	Tieszen			
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	5,475,574	12/1995	Chien, Tseng-Lu			
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	5,495,401	02/1996	Evans			
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	5,579,429	11/1996	Naum			
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1076.1104101

Serial No.:  
10/811,602

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Applicant: Brian N. Tufte

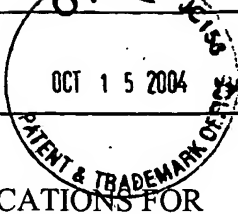
Filing Date:  
March 29, 2004

Group Art:  
unknown

Examiner Initial	Document No.	Date	Name	Class	Sub Class	Filing Date If Appropriate
	5,917,288	06/1999	Feldman et al.			
	6,033,085	03/2000	Bowker, James W.			
	6,065,852	05/2000	Crumley			
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	Flex Glo Wire, Inc., "Flex Glo Wire Specifications," October 15, 1998.
	<u>Selected pages from <a href="http://www.aqualuce.com/montkaj.html">http://www.aqualuce.com/montkaj.html</a>, 2 pages, downloaded June 3, 2000.</u>
	"Eagle Mouldings Specialty Trim & Extrusions," brochure, 6 pages, prior to August 11, 1999.
	Lumenyte International Corporation, "Cove Lighting Applications," 1 page, copyright, March 19, 1998.

<b>FORM PTO-1449</b> Page 4 of 4		Atty. Docket No.: 1076.1104101	Serial No.: 10/811,602
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT		Applicant: Brian N. Tufte	
		Filing Date: March 29, 2004	Group Art: unknown

	Lumenyte International Corporation, "Sta-Flex LEF™ 510M Linear Emitting Fiber," 2 pages, copyright March 6, 2001.
	Lumenyte International Corporation, "Sta-Flex LEF™ 310 Linear Emitting Fiber," 2 pages, copyright March 19, 1998.
	Lumenyte International Corporation, "Sta-Flex SFR™ 510 Linear Fiber," 2 pages, copyright March 19, 1998.
	Lumenyte International Corporation, "Sta-Flex SFR™ 410M Linear Emitting Fiber," 2 pages, copyright March 6, 2001.
	3M Marine Products, <a href="http://www.3m.com/US/auto_marine_aero/marine/catalog/index.jhtml">http://www.3m.com/US/auto_marine_aero/marine/catalog/index.jhtml</a> , 1 page, downloaded February 11, 2002.
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	3M United States, <a href="http://www.3m.com/about3M/technologies/lightfiber">http://www.3m.com/about3M/technologies/lightfiber</a> , 30 pages, downloaded February 11, 2002.
	<a href="http://www.elam.co.il">http://www.elam.co.il</a> , 24 pages, downloaded February 11, 2002.
	U.S. Patent Application No. 10/074,162, filed February 12, 2002, entitled, "Lighting Apparatus."
	U.S. Patent Application No. 10/074,364, filed February 12, 2002, entitled, "Lighting Apparatus."
	U.S. Patent Application No. 10/074,356, filed February 12, 2002, entitled, "Lighting Apparatus."
	U.S. Patent Application No. 10/075,488, filed February 12, 2002, entitled, "Lighting Apparatus."
	U.S. Patent Application No. 10/075,489, filed February 12, 2002, entitled, "Lighting Apparatus."
	U.S. Patent Application No. 10/147,097, filed May 13, 2002, entitled, "Lighting Apparatus."

EXAMINER:	DATE CONSIDERED:
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.